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INSTRUMENT PREPARED BY
VIRGINIA GAS AND OIL BOARD

ORDER RECORDED UNDER CODE
OF VIRGINIA SECTION 45.1-361.26

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

SUPPLEMENTAL ORDER REGARDING DOCKET NO. VGOB 06/09-19-1716

ELECTIONS, UNIT: VC-536087

(hereinafter "Subject Drilling Unit")

TAX MAP IDENTIFICATION NUMBERS:

TAX MAP IDENTIFICATION NUMBERS FOR ALL PARCELS
AFFECTED BY THIS ORDER ARE SHOWN ON EXHIBIT (S) -
B WHICH IS/ARE ATTACHED TO AND A PART OF THIS
ORDER.

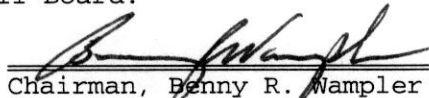
REPORT OF BOARD

FINDINGS AND ORDER


1. This Supplemental Order is entered by the Board sua sponte in the form authorized by the Board at its hearing held at 9:00 a.m. on October 20, 1992, Board of Supervisors Room, Courthouse, Grundy, Virginia, and pursuant to authority granted to the Board's Chairman at the hearing of the Virginia Gas and Oil Board on June 16, 1992, at 9:00 a.m. at the Rhododendron Restaurant at the Breaks Interstate Park, Breaks, Virginia; and this Supplemental Order is being recorded for the purpose of (1) complying with the requirement of the Virginia Gas and Oil Board Regulations, 4 VAC 25-160.70C by supplementing the Order previously issued by the Board for subject Docket on September 19, 2006 and recorded in Deed Book 435, Page 132 in the Office of the Clerk of Circuit Court, Dickenson County, Virginia on February 27, 2007, (herein "Board Order") to complete the record regarding elections. The Board Order pooled all interest in Subject Drilling Unit including those of the Respondents more particularly set forth and identified by the Designated Operator in the affidavits attached hereto and made a part hereof. The Board finds it has jurisdiction over the subject matter pursuant to the provisions of the Virginia Gas and Oil Act, § 45.1-361.1 et seq., Virginia Code, 1950 as amended.
2. Findings: The Board finds that:
 - (a) The Board Order directed Equitable Production Company, (herein the Designated Operator"), to mail copies of the Board Order to all respondents whose interest, if any, were pooled by said Board Order;
 - (b) The designated operator filed its affidavit of mailing dated March 8, 2007, disclosing that it had mailed a correct copy of the Board's Order to all Respondents whose interest, if any, were pooled by said Board Order;

- (c) The Board Order required each Respondent whose interest, if any, were pooled by the terms of said Board Order to make his or her election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the Designated Operator has filed its affidavit dated July 10, 2007, in accordance with § 7.C of the Virginia Gas and Oil Board Regulations and 4 VAC 25-160.70C (herein "Affidavit of Election"), wherein it has, for each Respondent whose interest, if any, were pooled by said Board Order, stated: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of the election made, if any; (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interest, estates and claims in Subject Drilling Unit to the Designated Operator;
 - (d) The Board Order further required the Designated Operator, after expiration of the election period, to file with the Board a statement of the interests subject to escrow under the terms and provisions of the Board Order, in light of the elections made or deemed to have been made (herein "Statement of Interests"); that the Designated Operator furnished said Statement of Interests as part of its Affidavit of Election. A copy of which is attached hereto as Exhibit B;
 - (e) Current Board standards requiring the escrow of funds and the Board's agreement with its Escrow Agent, Wachovia Bank, N.A., VA7515, P.O. Box 14061, Roanoke, VA 24038, (540) 563-7764, Attn: Judy Barger, or any successor named by the Board, require the entry of a Supplemental Order establishing of record the elections made or deemed to have been made and specifying the sums or percentage thereof subject to escrow. Current Board escrow standards were made applicable to Subject Drilling Unit by a Board Order dated December 23, 1992.
3. Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2 above and the annexed Affidavits, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, N.A., VA7515, P.O. Box 14061, Roanoke, VA 24038, (540) 563-7764, Attn: Judy Barger, or any successor named by the Board to establish interest-bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in said affidavits to receive such funds and account to the Board therefore.
 4. Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or its Attorney shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each person whose interest or claim is subject to escrow and whose address is known.
 5. Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.
 6. Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 18th day of October, 2007 by a majority of the Virginia Gas and Oil Board.

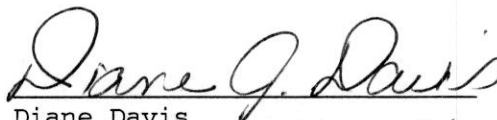

Chairman, Benny R. Wampler

DONE AND PERFORMED this 18th day of October, 2007 by Order of this Board.


B. R. Wilson
Principal Executive to the Staff
Virginia Gas and Oil Board

STATE OF VIRGINIA)
COUNTY OF WASHINGTON)

Acknowledged on this 18th day of October, 2007, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, and B. R. Wilson, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that they executed the same and was authorized to do so.


Diane Davis
Notary Public 174394

My commission expires: 9/30/09

6. That the interest and/or claims of the following persons (who made timely elections, or who are deemed under the terms of the Board's Order to have leased, or who, subsequent to the pooling hearing held in the captioned matter, have leased or otherwise entered into an agreement with the Designated Operator) are subject to escrow as either unknown claimants or conflicting claimants under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia; that opposite the name of each person named as a Respondent listed below is set forth:

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>NET REVENUE INTEREST</u>
3	Madeline Counts, widow 807 Faison Avenue Fayetteville, NC 28304-1705	Leased-EPC 241710L	0.00536250
4	Charles B. Counts, Jr. and Katherine Counts, H/W 3503 Arden Dr Warren, MI 48092	Leased-EPC 241591L	0.00135000
	Cheri Lynn Simonenko 591 White Cabin Road 241591L Roscommon, MI 48653-8002	Leased-EPC	0.00033750
	Nicole Connolly and Daniel M. Connolly, W/H 1744 Patterson Ortonville, MI 48462-9217	Leased-EPC 241591L	0.00033750
	Connie Godfrey and Bill Godfrey, W/H 1280 West Oro Grand Dr Pueblo West, CO 81007	Leased-EPC 241591L	0.00067500

OR Pine Mountain and Tracts 3 and 4 owners have a split agreement 75%-25%

3	Pine Mountain Oil & Gas, Inc. Attn: Jerry Grantham P.O. Box 2136 Abingdon, VA 24212	Leased-EPC	0.00536250
4	Pine Mountain Oil & Gas, Inc. Attn: Jerry Grantham P.O. Box 2136 Abingdon, VA 24212	Leased-EPC 244792/TC-180	0.00270000

7. That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator with regard to their interest and/or claims.

NONE

VIRGINIA:***BEFORE THE VIRGINIA GAS AND OIL BOARD***

IN RE: Application of Equitable Production Company, for Forced Pooling of Interests in Unit Number VC-536087 VGOB Docket No. VGOB-06/09/19-1716 in the Ervinton Magisterial District of Dickenson County, Virginia.

AFFIDAVIT OF WILHOIT & KAISER, Attorneys-at-Law, Agents for the Designated Operator REGARDING ELECTIONS, ESCROW ACCOUNTS AND SUPPLEMENTAL ORDER

James E. Kaiser (herein Affiant), being first duly sworn on oath, deposes and says:

1. That the Affiant is an attorney in the law firm of WILHOIT & KAISER, the Agent for the Designated Operator, with offices located at 220 Broad Street, Kingsport, Tennessee 37660, and is authorized to give this Affidavit in its behalf;
2. That the Order entered on September 19, 2006, by the Virginia Gas and Oil Board regarding the captioned coalbed methane Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by said Order;
3. That within seven (7) days of the receipt of an executed copy of the Order referred to at Paragraph 2. above, the Affiant was directed to cause a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who are added as Respondents at the hearing held in the captioned matter;
4. That the Order of the Virginia Gas and Oil Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date said Order was recorded in the county above named; that said Order was recorded on February 27, 2007.
5. That the Designated Operator, by and through their agent, Wilhoit & Kaiser, Attorneys-at-Law, have established procedures to review all mail received and all written documents received by means other than by mail to ascertain whether parties whose interest have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to Subject Unit; that the following persons delivered, by mail or otherwise, written elections to the Unit Operator, within the thirty day election periods:

NONE

8. That the following persons have not made a timely election and have failed to enter into an agreement with the Designated Operator and their respective interests shall be deemed to have leased pursuant to and in accordance with paragraph 10 of the Order.

<u>TRACT</u>	<u>LESSOR</u>	<u>CASH CONSIDERATION</u>
2	Dickenson County Virginia School Board P.O. Box 1127 Clintwood, VA 24228	0.1000 X \$5.00 = \$0.50

That pursuant to the provision of 4VAC 25-160.70C annexed hereto and incorporated herein is a proposed supplemental order to be entered to complete the record regarding elections; that said annexed supplemental order sets forth that the services of the Escrow Agent are required in this matter pursuant to the terms of §§ 45.1-361.21.D.

Dated at Kingsport, Tennessee, this 10th day of July 2007.

[Signature]
Affiant

Taken, subscribed and sworn to before me by James E. Kaiser, the Agent of Equitable Production Company, a corporation, on behalf of the corporation, this 10th day of July 2007.

My commission expires: 11-12-08

[Signature]
Notary



EXHIBIT "B"
VC-536087

REVISED 09/18/06

<u>TR</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>	<u>NET REVENUE INTEREST</u>	
<u>Gas Estate Only</u>						
1 TAX ID: 1827731	Pine Mountain Oil & Gas, Inc. Attn: Jerry Grantham P.O. Box 2136 Abingdon, VA 24212	Leased-EPC 241490L T-261	66.940000%	39.3400	0.08367500	RI
	Equitable Production				0.58572500	WI
Tract 1 Totals			66.940000%	39.3400	0.66940000	
2 Tax ID: Not accessed	Dickenson County Virginia School Board P.O. Box 1127 Clintwood, VA 24228	Unleased	0.170000%	0.1000	0.00021250	RI
	Equitable Production				0.00148750	WI
Tract 2 Totals			0.170000%	0.1000	0.00170000	
3 Tax ID: 2538, 2537	Madeline Counts, widow 807 Faison Avenue Fayetteville, NC 28304-1705	Leased-EPC 241710L	4.290000%	2.5200	0.00536250	RI
	Equitable Production				0.03753750	WI
Tract 3 Totals			4.290000%	2.5200	0.04290000	
4 Tax ID: 2506	Charles B. Counts, Jr. and Katherine Counts, H/W 3503 Arden Dr Warren, MI 48092	Leased-EPC 241591L	1.080000%	0.6350	0.00135000	RI
	Cheri Lynn Simonenko 591 White Cabin Road Roscommon, MI 48653-8002	Leased-EPC 241591L	0.270000%	0.1588	0.00033750	RI
	Nicole Connolly and Daniel M. Connolly, W/H 1744 Patterson Ortonville, MI 48462-9217	Leased-EPC 241591L	0.270000%	0.1588	0.00033750	RI
	Connie Godfrey and Bill Godfrey, W/H 1280 West Oro Grand Dr Pueblo West, CO 81007	Leased-EPC 241591L	0.540000%	0.3175	0.00067500	RI
	Equitable Production				0.01890000	WI
Tract 4 Totals			2.160000%	1.2700	0.02160000	
5 TAX ID 1827806	Pine Mountain Oil & Gas, Inc. Attn: Jerry Grantham P.O. Box 2136 Abingdon, VA 24212	Leased-EPC 241490 T-352	26.440000%	15.5400	0.03305000	RI
	Equitable Production				0.23135000	WI
Tract 5 Totals			26.440000%	15.5400	0.26440000	
TOTAL GAS ESTATE			100.000000%	58.7700	1.00000000	

Coal Estate Only

1	Pine Mountain Oil & Gas, Inc. TAX ID: 1827731 Attn: Jerry Grantham P.O. Box 2136 Abingdon, VA 24212	Leased-EPC 244792/TC-175	66.940000%	39.3400	0.08367500	RI
	Equitable Production				0.58572500	WI
Tract 1 Totals			66.940000%	39.3400	0.66940000	
2	Dickenson County Virginia Tax ID: Not accessed School Board P.O. Box 1127 Clintwood, VA 24228	Unleased	0.170000%	0.1000	0.00021250	RI
	Equitable Production				0.00148750	WI
Tract 2 Totals			0.170000%	0.1000	0.00170000	
3	Pine Mountain Oil & Gas, Inc. Tax ID: 2538, 2537 Attn: Jerry Grantham P.O. Box 2136 Abingdon, VA 24212	Leased-EPC	4.290000%	2.5200	0.00536250	RI
	Equitable Production				0.03753750	WI
Tract 3 Totals			4.290000%	2.5200	0.04290000	
4	Pine Mountain Oil & Gas, Inc. Tax ID: 2506 Attn: Jerry Grantham P.O. Box 2136 Abingdon, VA 24212	Leased-EPC 244792/TC-180	2.160000%	1.2700	0.00270000	RI
	Equitable Production				0.01890000	WI
Tract 4 Totals			2.160000%	1.2700	0.02160000	
5	Pine Mountain Oil & Gas, Inc. Tax ID: 1827806 Attn: Jerry Grantham P.O. Box 2136 Abingdon, VA 24212	Leased-EPC 241490 T-352	26.440000%	15.5400	0.03305000	RI
	Equitable Production				0.23135000	WI
Tract 5 Totals			26.440000%	15.5400	0.26440000	
TOTAL COAL ESTATE			100.000000%	58.7700	1.00000000	

INSTRUMENT #070002074
RECORDED IN THE CLERK'S OFFICE OF
DICKENSON ON
NOVEMBER 1, 2007 AT 09:27AM
JOE TATE, CLERK

RECORDED BY: JBM

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF DICKENSON COUNTY, Nov. 1, 2007. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 9:27 o'clock AM, after payment of \$ tax imposed by Sec. 58.1-802.

Original returned this date to:

Diane Davis

BY:

TESTE: JOE TATE, CLERK

Joe Tate CLERK